

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re the Application of:

ANTHONY A. SHAH-NAZAROFF, ET AL.

Application No.: 09/580,305

Filed: May 26, 2003

For: Method And Apparatus For Ordering

**Entertainment Programs From Different** 

**Programming Transmission Sources** 

Art Group: 2614

Examiner: not assigned

**RECEIVED** 

SEP 2 4 2004

**Technology Center 2600** 

## INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

In accordance with the duty of disclosure, enclosed is a copy of IDS Citation Form PTO/SB/08 or PTO-1449, together with copies of the documents cited on that form, except for copies not required to be submitted (e.g., copies of U.S. patents and U.S. published patent applications need not be enclosed for applications filed after June 30, 2003). This IDS and IDS Citation Form are being submitted before the mailing of a final Office Action. It is respectfully requested that the cited references be considered and that the enclosed copy of PTO/SB/08 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s).

It is hereby stated that no item of information contained in the Information Disclosure Statement was cited in a patent office in a counterpart application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual associated with the filing or prosecution of the subject application more than three months prior to the filing of the Information Disclosure Statement.

The references were cited in a Search Report dated June 24, 2004 (copy enclosed herewith) in a counterpart EPO application.

The submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made in the subject application and is not to be construed as an admission that the information cited in this statement is material to patentability.

Please charge any fees due to Deposit Account 02-2666. A duplicate copy of the Fee Transmittal (PTO/SB/17) is enclosed for this purpose.

Respectfully submitted,

BLAKELY, SOKOLOW, TAYLOR & ZAFMAN LLP

Gregory D. Caldwell, Reg. No. 39,926

12400 Wilshire Boulevard, 7th Floor Los Angeles, CA 90025

Telephone: (503) 439-8778

Date: September 17, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

09-17-04

Date

SUBSTITUTE FOR MATION DISCLOSURE

STATEMENT BY APPLICANT

(use as many sheets as necessary)

Complete if Known
Application Number 09/580,305

Filing Date May 26, 2003

First Named Inventor Anthony A. S.
Art Unit 2614

of

Sheet

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Complete if Known						
Application Number	09/580,305					
Filing Date	May 26, 2003					
First Named Inventor	Anthony A. Shah-Nazaroff					
Art Unit	2614					
Examiner Name	not assigned					
Attorney Docket Number	42P6484D2					

U.S. PATENT DOCUMENTS									
Examiner	Cite No.1	Document Number	Publication Date	Name of Patentee or	Pages, Columns, Lines, Where				
Initials*		Number - Kind Code² (if known)	or Issue Date MM-DD-YYYY	Applicant of Cited Document	Relevant Passages or Relevant Figures Appear				
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	FOREIGN PATENT DOCUMENTS										
Examiner	Cite No.¹	Foreign Patent Document	_		Pages, Columns, Lines,						
Initials*		Country Code - Number - Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear						
	1	WO 98/43406	10-01-1998	Walker Asset Mgmt							
	2	WO 97/03521	01-30-1997	Philips Electronics							
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Examiner	Date	
Signature	Considered	

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

'Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Ehter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible applicant is to place a check mark here if English language Translation is attached.

Based on PTO/SB/08A (08-03) as modified by Blakely, Solokoff, Taylor & Zafman (wlr) 08/11/2003.

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TD A NIC			Application No.	09/580,305			
TRANSMITTAL FORM			Filing Date	May 26, 2003			
(to be used for all	correspondence aft	er initial filing)	First Named Inventor	Anthony A Shah Nazaroff V			
			Art Unit	2614 SEP 2 4 2004			
			Examiner Name	not assigned			
Total Number of F	Pages in This Submiss	ion	Attorney Docket Number	42P6484 Technology Center 260			
-	ENCLO	SURES (chec	k all that apply)				
Fee Transmittal	Form	Drawing(s)		After Allowance Communication to Group			
Fee Attac	hed	Licensing-r	elated Papers	Appeal Communication to Board of Appeals and Interferences			
Amendment / Ro	esponse	Petition		Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)			
After Fina Affidavits	ıl /declaration(s)	Petition to 0 Provisional	Convert a Application	Proprietary Information			
Extension of Tin	ne Request	Power of A Change of	ttorney, Revocation Correspondence Address	Status Letter			
Express Abando	onment Request	Terminal D	isclaimer	Other Enclosure(s) (please identify below):			
Information Disc	closure Statement	Request for	Refund	-Copies of 2 Cited refs -Copy of EPO			
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Response to Mis	ssing Parts/		1				
	Filing Fee	Remarks					
Decla	eration/POA						
Response Parts und 1.52 or 1.	e to Missing er 37 CFR 53						
	SIGNATUR	E OF APPLICA	NT, ATTORNEY, OR A	GENT			
Firm	Gregory D. Cal	dwell, Reg. No	o. 39,926				
or Individual name	BLAKELY, S	OKOLOER,	TAYLOR & ZAFM	IAN LLP			
Signature							
Date	Date September 17, 2004						
	CERTIF	ICATE OF MAIL	ING/TRANSMISSION				
				Service on the date shown below with ents, P.O. Box 1450, Alexandria, VA			
Typed or printed na	me Tamara M. S	Simpson,					

Date

**September 17, 2004** 

Based on PTO/SB/21 (04-04) as nodified by Blakely, Solokoff, Taylor & Zafman (wir) 06/04/2004. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Signature

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## ÉE TRANSMITTAL for FY 2004

Effective 01/01/2004. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$) 0.00

Complete if Known							
Application Number	09/580,305						
Filing Date	May 26, 2003						
First Named Inventor	Anthony A. Shah-Nazaroff						
Examiner Name	not assigned RECEIVED						
Art Unit	2614						
Attorney Docket No.	42p6484D2 CFD 0 4 2004						

(503) 439-8778

09/17/04

METHOD OF PAYMENT (check all that apply)						oply)				FE	E CALCULATION (continued) S Technology	00-1
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Acco Numi				02-2666	)		1051	130	2051	65	Surcharge - late filing fee or oath	
Depo						1	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
Acco Name	unt B	lakely	, Sok	oloff, Taylo	r & Zafma	n LLP	2052	130	2052	130	Non-English specification	
		r is auth	orized t	o: ( check all that	t annly)		2053 1812	2,520	2053 1812	2,520	For filing a request for ex parte reexamination	
	ge fee(s)			· _	edit any overpay	ments	1804	920*	1804	920 1		
				underpayment of							Examiner action	
CFR	§§ 1.16,	1.17, 1.1	8 and 1.3	20.			1805	1,840*	1805	1,840	* Requesting publication of SIR after Examiner action	
	ge ree(s) e above-id			except for the fil account	ling tee		1251	110	2251	55	Extension for reply within first month	<u> </u>
		FI	EE CA	LCULATIO	N		1252	420	2252	210	Extension for reply within second month	
1.	BASIC	FILIN	IG FE	F			1253	950	2253	475	Extension for reply within third month	
Large E		Small		_			1254	1,480	2254	740	Extension for reply within fourth month	
Fee Code	Fee	Fee Code	Fee	Fee Description		Fee Paid	1255	2,010	2255	1,005	Extension for reply within fifth month	
	(\$)		(\$)				1404	330	2401	165	Notice of Appeal	
1001	770	2001	385	Utility filing fee			1402	330	2402	165	Filing a brief in support of an appeal	
1002	340	2002	170	Design filing fe	e		1403	290	2403	145	Request for oral hearing	
1003 1004	530 770	2003	265 385	Plant filing fee Reissue filing f	ee.		1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1005	160	2005	80	Provisional filin			1452	110	2452	55	Petition to revive - unavoidable	
1005	,,,,	2003					1453	1,330	2453	665	Petition to revive - unintentional	
			SUB	TOTAL (1)	(\$)		1501	1,330	2501	665	Utility issue fee (or reissue)	
2.	EXTR	A CLA	IM FE	EES <sub>Extra</sub>	Fee from		1502	480	2502	240	Design issue fee	
				Claims	below	Fee Paid	1503	640	2503	320	Plant issue fee	
Total Clair	·		. 20	= x	=		1460	130	2460	130	Petitions to the Commissioner	
Independe Claims	ent		. 3	= x	=		1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
Multiple D	ependent				=		1806	180	1806	180	Submission of Information Disclosure Stmt	
Large Er		Small		· 		<u>. – </u>	8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description			1809	770	1809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1202	18	2202	9	Claims in excess		<u> </u>	1810	770	2810	385	For each additional invention to be	
1201	86	2201	43	Independent clair			10.10	110	2010	303	examined (37 CFR § 1.129(b))	
1203 1204	290 86	2203 2204	145 43	Multiple Depende **Reissue indepe			1801	770	2801	385	Request for Continued Examination (RCE)	
1204	00	2204	40	patent			1802	900	1802	900	Request for expedited examination	
1205	18	2205	9	**Reissue claims original patent		and over	Other fe	e (specify)		No.E	of a design application ee	0.00
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Registration No. (Attorney/Agent)

39,926

Telephone

Date

Gregory D. Caldwell

Name (Print/Type)

Signature